

Remarks

Claims 1, 2, 6-12, 14-15, and 31-44 are pending for the Examiner's consideration. Claims 1 and 43 have been amended. Claims 3-5, 13 and 16-30 have been canceled, and claim 15 has been withdrawn from consideration. No new matter is believed to have been added.

Applicant appreciates the indication in the Office Action that claims 31-42 have been allowed.

Claims 1, 2, 6-12, 14, 43, and 44 were rejected in the Office Action under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,037,033 to Hunter in view of U.S. Patent No. 2,994,361 to Gable *et al.* The rejection respectfully is traversed.

The Office Action states:

The applicant argues that the rolling in claims 1 and 43 results in partial reorientation along an arcuate surface so that the layers are contacted. This statement is not commensurate with the scope of the applicant's claims. The claims only require that the rolling occur along an arcuate surface, the first layer and second layer being contacted to each other, and rolling the first layer between spaced first and second guides. The claims do not require that the rolling at least partially reorient the layers such that contacting occurs. The claim simply states "contacting the first layer with the second layer" but the claim never requires that the rolling facilitate the contacting. Additionally, the claim only requires that the guides are *configured* to contact the first layer along a heated guide to toward the second layer. Gable discloses rolling along an arcuate surface 54 as discussed above.

(Office Action, p. 4-5).

Applicant's specification discloses an embodiment, for example, in which "second section 12b has a guide surface that is contoured or arcuated to guide and roll the tab 6." (Specification, page 10, lines 4-5). The specification further discloses an embodiment in which "the guides starts to bend or roll the tabs." (*Id.*, page 14, line 24).

Claim 1 has been amended to recite a method comprising steps of, *inter alia*, rolling at least the first layer between spaced first and second guides configured to contact the first layer and guide the first layer along a heated guide surface toward the second layer, *the rolling occurring along an arcuate surface to reorient the first layer with respect to the second layer such that the first layer contacts the second layer*, and simultaneously moving the second layer to contact the first guide.

Claim 43 has been amended to recite a method comprising, *inter alia*, rolling at least the first layer between spaced first and second guides configured to contact the first layer and guide the first layer along a heated guide surface toward the second layer while moving the second layer to also contact the first guide, with the first guide being configured as a shoe, and contacting the first outer surface with the second outer surface along bonding regions thereof by *the rolling along an arcuate surface to reorient the first layer with respect to the second layer such that the first layer contacts the second layer.*

Thus, Applicant submits that the amendments to claims 1 and 43 address the statements in the Office Action that “[t]he claims do not require that the rolling at least partially reorient the layers such that contacting occurs” and “the claim never requires that the rolling facilitate the contacting.” (Office Action, p. 5).

In view of the foregoing, it is believed that all the pending claims are in condition for allowance, which is respectfully requested. If the Examiner does not agree, then a personal or telephonic interview is respectfully requested to discuss any remaining issues so as to expedite the eventual allowance of the claims.

A Petition for Extension of Time is submitted concurrently herewith along with a Notice of Appeal. Should any additional fees be required, however, please charge all required fees to Steptoe & Johnson LLP Deposit Account No. 19-4293.

Date: November 23, 2009

Respectfully Submitted,

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Attachments